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Posted on Tue, Jan. 27, 2004

PIONEER PRESS

HENNEPIN COUNTY: Police video shows rant by courthouse shooting suspect

BY LISA DONOVAN
Pioneer Press

In the hours after a fatal shooting outside a Hennepin County courtroom in September, the suspect began talking with investigators in a whisper that quickly gave way to a crescendo of angry accusations toward the victims.

Susan Berkovitz, 53 and facing murder charges of killing her cousin and wounding a lawyer, whispered her name, her date of birth, even quietly asked whether she would be housed with "dangerous" inmates at the county jail, according to a videotape played Monday during a pretrial hearing.

But that polite, small voice disappeared after she asked for a lawyer. Instead of remaining mum, the St. Paul resident began to rant to investigators about her late cousin Shelley Joseph-Kordell and the cousin's attorney, Richard Hendrickson. The three were supposed to appear for a hearing Sept. 29 in connection with a long-running legal dispute regarding Joseph-Kordell's role as conservator of the estate of Berkovitz's parents.

Instead, gunfire erupted outside a 17th-floor courtroom. When it was over, Joseph-Kordell, 56, was dead, Hendrickson, 53, was injured and Berkovitz was in handcuffs.

"They're not going to take Daddy's money anymore," Berkovitz said on one of two law enforcement videotapes played in court Monday, marking the first time the public has had a chance to hear her statements about the incident.

"She caused this in her own indirect way because they wouldn't stop," Berkovitz said of Joseph-Kordell. "They would mimic me and send me letters and I tried so hard to ignore her."

As she talked about the legal wrangling involving her father's estate and how her cousin she claimed was looting his accounts had wronged her, Berkovitz changed the subject.

"There was a gun show last year and I went," Berkovitz said, describing how she bought a handgun and then started target practice. She then said: "This really upset me, what they did."

A grand jury indicted Berkovitz on one count of premeditated first-degree murder in the death of Joseph-Kordell. She was also indicted on one count of attempted first-degree murder for allegedly shooting Hendrickson.

One of the revelations during the daylong hearing was that Berkovitz was arrested with an earplug in her right ear. A second earplug was found at the scene and a bag for the earplugs — like those used by target shooters for hearing protection — was found in Berkovitz's purse.

Defense attorneys asked Judge Thor Anderson to suppress the videotaped statements from being aired at trial. They argued that Berkovitz made the comments after invoking her right to remain silent and requesting an attorney, making them legally inadmissible.

But the prosecution cited several investigators whom Berkovitz allegedly confessed to and pointed to the videotapes themselves as evidence that no one was asking Berkovitz a thing — she was doing all the talking. And for that reason, the voluntary

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statements are admissible, they say.

Anderson will continue hearing pretrial motions March 12 before making a final decision on the defense attorneys' requests.

Lisa Donovan, who covers public safety, can be reached at ldonovan@pioneerpress.com or 612-338-6872.

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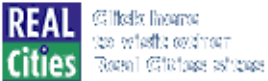





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